

**REMARKS**

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The final Office Action dated May 10, 2010 has been received and its contents carefully reviewed.

Claims 31, 38 and 43 are hereby amended. No new matter has been added. Support for the amendments can be found at least at p. 3, lines 35-37. No claims have been added. Claims 1-30 were previously canceled without prejudice or disclaimer. Accordingly, claims 31-48 are currently pending. Reexamination and reconsideration of the pending claims is respectfully requested.

**The Office rejects claims 31-34, 38-42, and 46-48 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6473421 to Tappan *et al.* (hereinafter “*Tappan*”) in view of U.S. Patent No. 6791949 to Ryu *et al.* (hereinafter “*Ryu*”).** *Office Action* at p. 5, ¶ 7. Applicants respectfully traverse the rejection and request reconsideration.

Independent claim 31 is allowable in that it recites, among other features, “writing a reference selected in the table of the router into the field of the vector of the datagram designated by the read index value; writing into the vector index field of the datagram a value equal to the read value incremented by one unit; and forwarding the datagram to the second router of the network, wherein the steps are repeated by each router along the transmission path of the datagram through the communication network.”

As admitted by the Office, “*Tappan* does not disclose expressly ... writing a reference selected in the table of the router into the field of the vector of the datagram designated by the read index value; writing into the index field of the datagram a value equal to the read value incremented by one unit.” *Office Action* at p. 7. Thus, *Tappan* does not teach or suggest at least the above features of independent claim 31.

*Ryu* fails to cure the deficiencies of *Tappan*. *Ryu* disclose that “the Route Table update logic determines if any of the [Route Update Record’s] RUR’s routing metric information represents an improvement over the existing entry’s routing information” and “if the RUR represents an improvement ... then the primary gateway information is moved to the secondary fields and the RUR transmitter and associated metric data from the RUR is written into the

primary gateway fields.” *Ryu* at col. 18:31-33 and lines 48-53. Thus, *Ryu* discloses that a new reference is written in the routing table of one of the routers. In contrast, Applicants claim “writing a reference selected in the table of the router into the field of the vector of the datagram designated by the read index value; writing into the vector index field of the datagram a value equal to the read value incremented by one unit.” (Emphasis added). Accordingly, none of the cited references, singly or in combination, teaches or suggests “writing a reference selected in the table of the router into the field of the vector of the datagram designated by the read index value; writing into the vector index field of the datagram a value equal to the read value incremented by one unit; and forwarding the datagram to the second router of the network, wherein the steps are repeated by each router along the transmission path of the datagram through the communication network,” as recited in independent claim 31.

Independent claim 46 is allowable in that it recites, among other features, a “means for writing a value equal to the read value incremented by one unit into the index field of said datagram.” For the same or similar reasons discussed above regarding claim 31, nothing in *Tappan* or *Ryu* teaches or suggests at least this feature of the claimed invention. Hence, Applicants respectfully assert that *Tappan* and *Ryu*, either singly or combined, do not teach or suggest at least the above feature of claim 46, and respectfully submit that independent claim 46 is patentable over *Tappan* and *Ryu*.

For at least all of the reasons presented above, Applicants respectfully requests that the Office withdraw the 35 U.S.C. § 103(a) rejection of independent claims 31 and 46. It stands to reason that claims 32-34, 38-42, and 47-48, which variously depend from independent claims 31 and 46, are also patentably distinguishable for at least the same reasons. Therefore, Applicants respectfully request the Office to withdraw the 35 U.S.C. § 103(a) rejection of claims 31-34, 38-42, and 46-48.

**The Office rejects claims 35-37 under 35 U.S.C. § 103(a) as being unpatentable over *Tappan* in view of *Ryu*, and further in view of U.S. Patent No. 7343619 to Ofek *et al.* (hereinafter “*Ofek*”).** *Office Action* at p. 8. Applicants respectfully traverse the rejection and request reconsideration.

Claims 35-37 are allowable in that they depend from independent claim 31. As discussed above, *Tappan* and *Ryu* fail to teach or suggest all the features of independent claim 31.

*Ofek* fails to cure the deficiencies of *Tappan* and *Ryu*. In fact, *Ofek* is merely cited for a purported teaching of, “sequential checks ... to provide a trusted flow of packets,” *Office Action* at p. 17. Because none of the cited references, either individually or in combination, teaches or suggests each and every element of independent claim 31, they also fail to teach or suggest each and every element of claims 35-37, which depend from claim 31. Accordingly, Applicants respectfully request the Office to withdraw the 35 U.S.C. § 103(a) rejection of claims 35-37.

**The Office rejects claims 43-45 under 35 U.S.C. § 103(a) as being unpatentable over *Tappan* in view of *Ofek*.** *Office Action* at p. 19. Applicants respectfully traverse the rejection and request reconsideration.

*Tappan* fails to teach or suggest at least a “means for writing an initial reference into each field of the vector of the datagram to be sent by the terminal; and means for writing an initial reference into each field of the vector of the datagram to be sent by the terminal, wherein each reference identifies a route on which the datagram is to be forwarded by a router of the communication network” as recited in independent claim 43.

*Tappan* discloses that “when a router receives an IP datagram, it searches through the prefix entries in the forwarding table to find the longest prefix that matches the incoming packet’s destination address” and “when it finds that route in its forwarding table, it reads that route’s fields that specify the interface over which it should forward the packet.” *Tappan* at col. 2, lines 28-35. In other words, *Tappan* discloses reading a route’s fields that specify the interface over which it should forward the packet. *Tappan* is entirely silent regarding any teaching or suggestion concerning a “means for writing an initial reference into each field of the vector of the datagram to be sent by the terminal” as recited in independent claim 43.

*Ofek* fails to cure the deficiencies of *Tappan*. *Ofek* discloses that “the corresponding header fields are computed, the header is assembled, and the corresponding data bytes appended as a payload” and “[i]f the TCP layer entity has to acknowledge the reception of data bytes ... the acknowledge information is added and put inside the corresponding TCP header fields 1840” where “the acknowledgement information consists of an Acknowledgement number that identifies the last in-sequence byte received, and an ACK bit flag that indicates that the acknowledgement number field contains a valid value.” *Ofek* at col. 31:59 - col. 32:2. Thus, *Ofek* discloses completing the datagram header. In contrast, Applicants claim a “means for

writing an initial reference into each field of the vector of the datagram to be sent by the terminal; and means for writing an initial reference into each field of the vector of the datagram to be sent by the terminal, wherein each reference identifies a route on which the datagram is to be forwarded by a router of the communication network.” Accordingly, none of the cited references, singly or in combination, teaches or suggests all of the features as recited in independent claim 43.

For at least the above reasons, Applicants respectfully submit that independent claim 43 is patentably distinguishable over *Tappan* in view of *Ofek*. It stands to reason that claims 44-45, which depend from independent claim 43, are also patentably distinguishable for at least the same reasons. Therefore, Applicants respectfully request the Office to withdraw the 35 U.S.C. § 103(a) rejection of claims 43-45.

### **CONCLUSION**

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to Deposit Account No. 50-0911.

Dated: July 12, 2010

Respectfully submitted,

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